

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Edward Mireles,

Defendant.

Magistrate Case No. **08 MJ 8377**

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960

Importation of a Controlled Substance
(Felony)

The undersigned complainant being duly sworn states:

That on or about 3 May 2008, within the Southern District of California, defendant Edward Mireles did knowingly and intentionally import approximately 23.86 kilograms of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


Special Agent Renato Gates
U.S. Immigration & Customs
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE THIS 5th DAY
OF MAY, 2008.


William McCurine
U.S. Magistrate Judge

1 **UNITED STATES OF AMERICA**

2 **v.**

3 **Edward MIRELES**

4 **STATEMENT OF PROBABLE CAUSE**

5
6 This Statement of Facts is based on the reports, documents, and notes furnished
7 to U. S. Immigration and Customs Enforcement Special Agent Renato Gates.

8 On May 3, 2008, at approximately 1600 hours, Edward MIRELES entered the
9 United States at the Calexico, CA, West Port of Entry. MIRELES was the driver and
10 sole occupant of a 1998 Honda Civic bearing Arizona plate #462XKS.

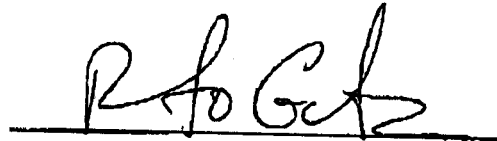
11 Customs & Border Protection Officer (CBPO) H. Flores made contact with
12 MIRELES as he applied for entry into the United States. CBPO Flores received a
13 negative declaration from MIRELES. Initially, MIRELES stated the Honda Civic was
14 owned and registered to his mother. Later, MIRELES told CBPO Flores the vehicle is
15 registered to his sister and he uses the vehicle to drive to work. CBPO Flores noticed
16 only one (1) on the vehicle key ring and opted to refer the vehicle to secondary for
17 further inspection.

18 In the vehicle secondary lot, CBPO S. Barela was screening vehicles in the
19 secondary lot with his Human and Narcotic Detector Dog (HNDD). CBPO Barela
20 informed CBPO S. Felix his HNDD alerted to a silver Honda Civic bearing Arizona plate
21 #462XKS.

22 CBPO Felix received a negative declaration from MIRELES. A subsequent
23 inspection of the vehicle revealed twenty-two (22) packages concealed within the
24 quarter panels and right side door. One of the packages was probed and a sample of a
25 green leafy substance was obtained, which field tested positive for marijuana. The 22
26 packages had a combined net weight of approximately 23.86 kilograms (52.492
27 pounds) of marijuana.
28
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1 MIRELES was arrested for importation of marijuana into the United States.
2 MIRELES was advised of his rights, per Miranda, and stated he understood his rights
3 and was willing to answer questions without the presence of an attorney. MIRELES
4 admitted he was to be paid \$1,500 for the smuggling venture. MIRELES admitted
5 knowing drugs were concealed within the vehicle and believed the drug to be either
6 marijuana or cocaine. MIRELES said the vehicle drove differently than before; leading
7 him to believe the vehicle was laden with drugs. MIRELES stated he was to drive the
8 drug-laden vehicle into the United States and park the vehicle at the Rancho Grande
9 Market in El Centro. MIRELES said he was to get paid the \$1,500 first and then hand
10 over the vehicle for the removal of the drugs.

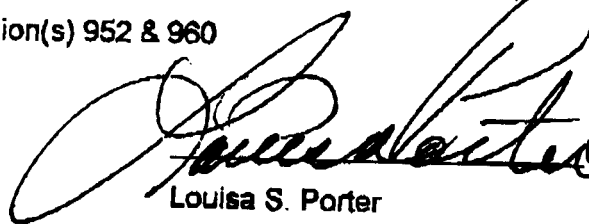
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12 Executed on 05/03/2008 at 1645 hrs.



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14 Renato Gates, Special Agent

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16 U.S. Immigration and Customs Enforcement

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18 On the basis of the facts presented in the probable cause statement consisting
19 of two (2) pages, I find probable cause to believe that the defendant named in this
20 probable cause statement committed the offense on 3 May 2008, in violation of Title 21
21 United States Code, Section(s) 952 & 960

22
23
24  Date 5/4/08
25 Louisa S. Porter 6:00pm

26 United States Magistrate Judge
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28
29